

REMARKS

Claims 1-26 are pending. By this reply, new claims 21-26 have been added.

Of the pending claims, claims 1, 9, 15, 21, 23 and 25 are independent.

On page 6 of the Office Action, the Examiner has indicated that dependent claims 4, 5, 18 and 19 recite allowable subject matter, for which Applicants are appreciative.

Specification & Claim Objection

On page two of the Office Action, the Examiner has objected to a typographical error in Paragraph [0004] of the specification and a similar typographical error in claim 1. Applicant appreciates the Examiner's help in identifying the typographical errors, which have been corrected by this reply. Withdrawal of the objections is requested.

§101 Rejection

Beginning on page 2 of the Office Action, claims 9-14 have been rejected because the claimed invention is directed to non-statutory subject matter. The Examiner has offered a suggestion to overcome the rejection, which Applicants appreciate. By this reply, Applicants have amended claims 9-13 in keeping with the Examiner's suggestion. Accordingly, withdrawal of the §101 rejection is requested.

§102 Rejections

Beginning on page 3 of the Office Action, claims 1-3, 6-11, 14-17 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by a published U.S. Patent Application to Johnson et al. having publication No. 2003/0046606 (the '606 pubApp). Applicants traverse.

As noted above, claims 4-5 and 18-19 have been indicated as allowable. Applicants infer the same should be true of dependent claims 12-13 pending withdrawal of the §101 rejection traversed above. By this reply, independent claims 1, 9 and 15 have been amended to incorporate aspects of allowable claim 4, presumably allowable claim 12 and allowable claim 18, respectively. Accordingly, amended independent claims 1, 9 and 15 are now allowable over the '606 pubApp.

More particularly, a distinction of amended independent claims 1, 9 and 15 over the '606 pubApp is generation of a dynamically loadable kernel module (DLKM) based upon function prototypes corresponding to interface functions of a kernel-space service that is to be tested. Claims 2-3, 6-8, 10-11, 14, 16-17 and 20 depend at least indirectly from claims 1, 19 and 15, respectively, and thus are allowable at least for similar reasoning.

In view of the foregoing discussion, withdrawal of the §102(e) rejection over the '606 pubApp is requested.

New Claims 21-26

As mentioned above, new claims 21-26 have been added by this reply. Claims 21-26 distinguish over the '606 pubApp at least for reasons similar to those discussed above regarding claims 1, 9 and 15.

CONCLUSION

The issues in the case are considered to be resolved. Accordingly, Applicants request a Notice of Allowability.


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Person to Contact

In the event that any matters remain at issue in the application, the Examiners are invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-2025 for any additional fees under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,
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